

EXHIBIT D

Megan Delahoussaye

1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 MIDDLE DISTRICT OF PENNSYLVANIA

3 RIC SZABO, :
 Plaintiff :
4 : Civil Action No.:
 vs. : 21-cv-00468

5 :
 MUNCY INDUSTRIES, LLC :
6 D/B/A MUNCY MACHINE & :
 TOOL CO., INC., :
7 Defendant :

8 - - -

9 Wednesday, June 15, 2022

10 - - -

11 Remote oral deposition of MEGAN
12 DELAHOUSSEY, via Zoom videoconference,
13 conducted at the location of the witness in
14 New Iberie, Louisiana, taken on the above
15 date, beginning at approximately 1:00 p.m.,
16 before Jessica M. Gericke, RPR, CCR-NJ, and
17 Notary Public in and for Delaware, New Jersey,
18 and Pennsylvania.

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1 APPEARANCES VIA ZOOM VIDEO CONFERENCE:

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Counsel for Defendant and Deponent

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Megan Delahoussaye

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I N D E X

WITNESS NAME	PAGE
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By Ms. Kramer	4
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NO.	DESCRIPTION	PAGE
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E-mail Correspondence,

Bates-stamp No.

MUNCY-000231

Delahoussaye-2	24
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E-mail Correspondence

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THE COURT REPORTER: All

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parties to this deposition are appearing

4

remotely and have agreed to the witness

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being sworn in remotely. Due to the

6

nature of remote reporting, please pause

7

briefly before speaking to ensure all

8

parties are heard completely.

9

Counsel, please state your

10

appearance.

11

MS. KRAMER: Mary Kramer for

12

the plaintiff, Ric Szabo.

13

MR. STAPP: Gregory A. Stapp,

14

S-T-A-P-P, for Muncy Industries.

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- - -

16

MEGAN DELAHOUSSEY, after

17

having been first duly sworn, was

18

examined and testified as follows:

19

BY MS. KRAMER:

20

Q. Good afternoon, Miss Delahoussaye.

21

My name is Mary Kramer and I am one of the

22

attorneys representing Ric Szabo in the matter

23

he brought against Muncy.

24

The reason I have asked you

1 here today is just to ask you about what facts
2 you have personal knowledge of and it's just
3 going to be like a conversation. Then after I
4 am finished, your attorney may have some
5 follow-up questions, and then we'll be
6 finished here. All right?

7 A. Okay.

8 Q. So first I would like to just go
9 over a few instructions with you.

10 Have you ever had a deposition
11 taken before?

12 A. Yes.

13 Q. Okay. What was that for?

14 A. Previous with Ric.

15 Q. Okay. So nothing unrelated to
16 Mr. Szabo or his employment with Muncy?

17 A. Correct.

18 Q. Was that other deposition the only
19 time?

20 A. Yes.

21 Q. All right. So as you already know,
22 I would just ask that you allow me to finish
23 asking my questions before you answer and,
24 likewise, I will do my best to allow you to

1 finish answering before I ask you the next
2 question.

3 I would also ask that you keep
4 your responses verbal instead of saying uh-huh
5 or unh-unh or nodding or shaking your head.
6 Because the court reporter will have a
7 difficult time getting answers like that down
8 on the record. All right?

9 A. Yes, ma'am.

10 Q. I do want to be very clear that I am
11 not asking about any privileged information.
12 So any communications or conversations that
13 you may have had with an attorney are not
14 things you need to tell me. Okay?

15 A. Yes, ma'am.

16 Q. If your attorney has an objection to
17 my question, please allow us to resolve that
18 objection, and then go ahead and answer the
19 question.

20 A. Yes.

21 Q. If at any time you need to take a
22 break, just let me know, and I will be happy
23 to take that break. The only thing I would
24 ask is if there is a question pending, please

Megan Delahoussaye

1 just answer that question before we go on a
2 break. Okay?

3 A. Yes, ma'am.

4 Q. So with all of that out of the way,
5 can you, please, state your name for the
6 record?

7 A. Megan Delahoussaye.

8 Q. And how old are you?

9 A. I am 29.

10 Q. What is your current mailing
11 address?

12 A. 216 Rynella Road, New Iberie,
13 Louisiana 70560.

14 Q. And where in Louisiana was that?

15 A. New Iberie.

16 Q. (Inaudible.)

17 A. I didn't hear you.

18 Q. Is anyone in the room with you?

19 A. No.

20 Q. Do you have any notes with you?

21 A. No.

22 Q. How did you prepare for today's
23 deposition?

24 A. I didn't.

1 Q. Okay. So I am just going to be
2 asking some things then that are going to seem
3 unnecessary, but just to be clear about it.

4 Did you review any documents
5 outside the presence of your attorney in
6 preparation of today's deposition?

7 A. No.

8 Q. Did you speak with anyone about
9 today's deposition besides your attorney?

10 A. No.

11 Q. Is there anything that would prevent
12 you from testifying truthfully today?

13 A. No.

14 Q. The next question, it may sound
15 invasive, but I do not mean any offense by it.

16 Are you currently taking any
17 drugs or medications that would interfere with
18 your ability to understand my question or to
19 tell the truth?

20 A. No, ma'am.

21 Q. And then are you currently taking
22 any drugs or medications that would impair
23 your memory?

24 A. No, ma'am.

1 Q. Okay. When did you first learn
2 about Mr. Szabo's claims against Muncy?

3 A. Right after he quit.

4 Q. And how did you learn about that?

5 A. Because my boss told me about it.

6 Q. After you learned about this matter,
7 did anyone, excluding your attorney, give you
8 instructions regarding saving documents that
9 might be related to this matter?

10 A. No.

11 Q. To the best of your knowledge, since
12 you first learned of this lawsuit, have any
13 documents that are related to this matter
14 specifically and Mr. Szabo's employment with
15 Muncy generally been destroyed?

16 A. No.

17 Q. Have you ever plead guilty or no
18 contest to or been convicted of a felony or
19 misdemeanor?

20 A. No.

21 Q. Have you ever been charged or
22 arrested for a crime, regardless of whether or
23 not you were convicted?

24 A. No.

1 Q. (Inaudible.)

2 (Discussion held off the
3 record.)

4 BY MS. KRAMER:

5 Q. Miss Delahoussaye, what is your
6 highest level of education?

7 A. I have some college.

8 Q. Did you graduate, get a degree?

9 A. I did not.

10 Q. When did you finish school?

11 A. High school?

12 Q. Sorry. College, the college you
13 attended?

14 A. 2012.

15 Q. And what school was that, college
16 was that?

17 A. Louisiana Technical College.

18 Q. What did you major in there?

19 A. Nursing.

20 Q. What was your first job after you
21 left college? If you remember. I know it's
22 been about ten years.

23 A. I believe it was working at the
24 Bayou Companies as a payroll clerk.

1 Q. Did you say the Bayou Companies?

2 A. Yes.

3 Q. All right. So a payroll clerk.

4 What did you have to do in that position?

5 A. Log times onto certain jobs, you
6 know, and payroll.

7 Q. How long were you with the Bayou
8 Company?

9 A. A year and a half.

10 Q. Were you terminated from that
11 position or did you resign?

12 A. No. I resigned.

13 Q. What was your next job?

14 A. I worked at Dynamic Industries.

15 Q. Okay. And what did you do there?

16 A. HR assistant.

17 Q. How long were you there?

18 A. Two and a half years.

19 Q. So what year would that take us to?

20 A. Oh, God.

21 Q. That's fine. We can go over that.

22 Again, were you terminated from
23 that position or did you resign?

24 A. No. I resigned.

1 Q. Okay. After Dynamic Industries?

2 A. I stayed home for a little while and
3 then I started working at Flex Force.

4 Q. Flex Force, what was your title
5 there?

6 A. Senior recruiter.

7 Q. Senior recruiter?

8 A. Yes.

9 Q. Were you terminated or did you
10 resign?

11 A. I resigned.

12 Q. I apologize if you already said.

13 How long were you with Flex
14 Force?

15 A. Two and a half years.

16 Q. Okay. Was that the last job before
17 Muncy or was there --

18 A. Correct. No. That's the last job.

19 Q. So then how long have you worked for
20 Muncy?

21 A. Two and a half years.

22 Q. Who hired you?

23 A. Jason.

24 Q. Jason Fetter?

1 A. Uh-huh.

2 Q. What was your position at the time
3 of hiring?

4 A. Plant administrator.

5 Q. What were your job duties in that
6 position?

7 A. Ensure the plant was flowing
8 correctly, scheduling jobs, and I was starting
9 to do some inside sales.

10 Q. Okay. And who did you report to --

11 A. Jason.

12 Q. -- then and now?

13 Did you always only report to
14 Jason?

15 A. Correct.

16 Q. Did anyone report to you?

17 A. Yes.

18 Q. (Inaudible) people?

19 THE COURT REPORTER: Please
20 repeat your question.

21 BY MS. KRAMER:

22 Q. How many people reported to you?

23 A. At the time of hire?

24 Q. Yeah.

1 A. I would say five or six.

2 Q. Five or six. Was Mr. Szabo one of
3 those people?

4 A. Yes.

5 Q. Did you have any authority to hire
6 and fire employees?

7 A. Yes.

8 Q. Okay. So then what's your position
9 with Muncy now?

10 A. I am plant administrator and
11 calibration scheduler.

12 Q. And --

13 A. I'm sorry. I am plant manager. I
14 don't know if I said that.

15 Q. That's totally fine. What are your
16 job duties as a plant manager?

17 A. I have to turn in time. I have to
18 ensure my jobs are flowing correctly through
19 the shop. Oversee shipping. Oversee
20 production. Oversee my assistant.

21 Schedule calibration trips.

22 You know, get in contact with the customers,
23 send them quotes. Receive purchase orders.

24 Input the orders into the system. Do billing.

1 Things like that.

2 Q. Okay. Then when did get, I guess,
3 promoted? When were you promoted to plant
4 manager?

5 A. January -- unh-unh. Probably March
6 of 2022.

7 Q. Okay. So you weren't plant manager
8 when Mr. Szabo was there?

9 A. No.

10 Q. When you were the calibration -- the
11 plant administrator -- and was it calibration?

12 A. I am sorry. I made a mistake.

13 I was promoted to plant manager
14 March of '21.

15 Q. Twenty-one?

16 A. Yes, ma'am.

17 Q. Okay. Could you repeat what your
18 position for that was, plant administrator and
19 what?

20 A. I was doing some inside sales.

21 Q. At the time of your hire until your
22 promotion, were you the only plant
23 administrator?

24 A. Yes.

1 Q. What is your work schedule like as a
2 plant administrator and then even now as a
3 plant manager? Do you work 9:00 to 5:00?

4 A. 8:30 to 5:00.

5 Q. 8:30 to 5:00?

6 A. Yes.

7 Q. Is that your schedule every day?

8 A. Yes.

9 Q. Are you paid hourly or do you
10 receive a salary?

11 A. Salary.

12 Q. What is your salary (inaudible)?

13 THE COURT REPORTER: Please
14 repeat your question.

15 BY MS. KRAMER:

16 Q. What is your salary as plant
17 administrator?

18 A. As plant administrator?

19 Q. Yes.

20 A. I was making 52,000 per year.

21 Q. Okay. And then what is it now?

22 A. Sixty-one, 62,000 per year.

23 Q. Okay. In your role as plant
24 administrator, did you exercise discretion and

1 independent judgment with respect to matters
2 of significance?

3 A. Yes.

4 Q. Were you ever asked to work
5 overtime?

6 A. No.

7 Q. So you never worked after 5:00?

8 A. No, ma'am.

9 Q. Okay. And just to confirm, you're
10 still employed by Muncy, correct?

11 A. Yes, ma'am.

12 Q. You still only report to Mr. Fetter?

13 A. Correct.

14 Q. When he hired you, was that the
15 first time you had ever met him?

16 A. No.

17 Q. How did you meet Mr. Fetter?

18 A. He had previously gotten in touch
19 with my former boss about a staffing relation.

20 Q. What do you mean by that?

21 A. He was going to use our staffing
22 company, the previous one I was working for.

23 Q. Okay. So he gets in touch with your
24 boss, your former boss.

1 How did he get pointed in your
2 direction?

3 A. Because I was a manager, the senior
4 recruiter for that location. So I went ahead
5 and talked to him.

6 Q. And then what? He asked you if you
7 wanted to -- you wanted a new job?

8 A. No. We had talked and talked about
9 positions and, you know, I had explained to
10 him that I wasn't happy where I was at, you
11 know, and it went from there.

12 Q. Okay. So between the first time you
13 met Mr. Fetter and then your hiring at Muncy,
14 did you speak with Mr. Fetter a lot?

15 A. Yes.

16 Q. Was that all about the job, like,
17 the job that he wanted you to do and the job
18 you had been doing before --

19 A. No.

20 Q. -- at Flex Force?

21 A. No.

22 Q. Okay. How would you describe your
23 relationship with Mr. Fetter?

24 A. A normal boss and worker

1 relationship.

2 Q. Okay. Do you ever interact with him
3 outside of working hours?

4 A. No.

5 Q. Okay. Have you ever traveled to a
6 job site with Mr. Fetter?

7 A. Yes.

8 Q. Do you ever travel after 5:00 p.m.
9 on your workday?

10 A. I don't recall.

11 Q. You don't recall? Okay. How often
12 does that happen, the traveling?

13 A. I have only traveled twice, I want
14 to say.

15 Q. Okay. Are you familiar with Ric
16 Szabo?

17 A. Yes.

18 Q. (Inaudible) ever had any
19 conversations with Mr. Szabo or with anyone,
20 excluding your attorney, about Mr. Szabo or
21 about this matter in general?

22 A. I'm sorry. Repeat your question.

23 Q. Let me rephrase.

24 Have you spoken with Mr. Szabo

1 since he left Muncy?

2 A. No, ma'am.

3 Q. You said already that he reported to
4 you.

5 So did you work with him on a
6 regular basis?

7 A. Yes.

8 Q. Are you familiar with Mr. Szabo's
9 position with Muncy?

10 A. Yes.

11 Q. What was that position?

12 A. He was a calibration technician.

13 Q. Okay. And do you know when he was
14 hired?

15 A. I do not.

16 Q. Do you know when he stopped working
17 for Muncy?

18 A. I believe it was July of 2020, I
19 think. I am not sure right offhand.

20 Q. That's all right if you don't know.
21 You can just say you don't know and we can
22 move on.

23 A. I'm not sure.

24 Q. Okay. Do you know what Mr. Szabo

1 was paid while working as a calibration
2 technician for Muncy?

3 A. I do not.

4 Q. What were Mr. Szabo's job duties
5 when he worked for Muncy?

6 A. He was to calibrate all load cells
7 that came in-house and he was also supposed to
8 travel and calibrate at different customers'
9 locations, their test beds and their
10 dynamometers and chain testers and things like
11 that.

12 Q. Okay. You said calibrate load
13 cells?

14 A. Yes.

15 Q. What does that mean? What is a load
16 cell? How about that?

17 A. It's a certain amount of -- it's a
18 product that when you press down on it, you
19 can either have tension or compression. You
20 can use it to measure -- like, when there is a
21 test bed, you have to have a load cell inside
22 of it to be able to show your -- if it's 100 K
23 load cell, then you can only go up to 100 K.

24 Q. Okay. Thank you. And you said

1 already that you gave Mr. Szabo assignments
2 when you were plant administrator?

3 A. I gave him assignments once I
4 started doing calibration, which was in May.

5 Q. So the inside sales portion of your
6 job was giving him assignments?

7 A. Inside sales was starting to get --
8 taking over the calibration side. So getting
9 purchase orders for calibration.

10 Q. Okay. Were you the only person who
11 handled getting the purchase orders?

12 A. Kimberly did before I did and I took
13 over her position.

14 Q. Would that be Kimberly Bunting?

15 A. Correct. Yes, ma'am.

16 Q. All right. I am going to share my
17 screen with you and show you an e-mail you
18 sent to Mr. Szabo on July 7, 2020, which I
19 will mark as Delahoussaye-1. Bear with me.

20 A. Sure.

21 (Exhibit Delahoussaye-1 marked
22 for identification.)

23 BY MS. KRAMER:

24 Q. Sorry. Okay. I don't know if you

1 can see that yet?

2 A. Yes, ma'am.

3 Q. You can?

4 A. Yes.

5 Q. All right. So what is that
6 document?

7 A. So that was for him to do in-house.

8 Q. When you say in-house, you mean not
9 with one of the job sites? It was actually
10 within Muncy?

11 A. Correct.

12 Q. How often did you send e-mails like
13 this?

14 A. Almost daily.

15 Q. Almost daily?

16 A. (Indicating.)

17 Q. Dr. Mr. Szabo have to complete
18 everything in this list when you sent the
19 e-mails?

20 A. Yes.

21 Q. Did he let you know when he finished
22 these assignments?

23 A. Correct.

24 Q. I am going to stop sharing.

1 A. Okay.

2 Q. Are you involved with the
3 scheduling -- you already said you are.

4 So you are involved with the
5 scheduling of work travel for the calibration
6 technicians?

7 A. Correct.

8 Q. (Inaudible) involved since, what,
9 May 2020, when you became involved with the
10 sales portion?

11 A. Repeat your question. It broke up.

12 Q. Have you been involved in scheduling
13 ever since you switched to inside sales or
14 started doing inside sales?

15 A. Correct.

16 (Exhibit Delahoussaye-2 marked
17 for identification.)

18 BY MS. KRAMER:

19 Q. I'm just going to share one more
20 time.

21 Do you see that?

22 A. Yes, I see.

23 Q. Let me know if you need me to make
24 it bigger.

1 A. Yep. I can see it.

2 Q. So were these the kind of e-mails
3 that you would send when you were giving out
4 the calibration technician's schedule for the
5 week?

6 A. Yes.

7 Q. So can you read under May -- under
8 June 1, 2020, the fourth bullet point?

9 A. The fourth bullet point?

10 Q. Yes. I can hover over it.

11 A. After completing calibration, three
12 hours, then stay the night in Corpus.

13 Q. Do you know how long a calibration
14 would take?

15 A. It varies on how fast the technician
16 is.

17 Q. (Inaudible) if Mr. Szabo or another
18 technician would have needed to travel the
19 three hours that you were saying to travel
20 after 5:00 p.m., when their day ended?

21 A. Repeat your question. It broke up.

22 Q. So are you aware that if a
23 calibration went until 5:00, one of the
24 calibration technicians would then need to

1 travel for the rest of the day, say, three
2 hours to Corpus?

3 A. It's their choice.

4 Q. When you say it's their choice, if
5 they said, "I am not going to drive until 8:30
6 the next day," would that have affected their
7 job?

8 A. No.

9 Q. There were no set start times for
10 when they needed to begin a job? It was just
11 a certain day?

12 A. Correct.

13 Q. So if a calibration technician,
14 including Mr. Szabo, if they had to work to do
15 this driving after 5:00 p.m., would they have
16 been compensated for that?

17 A. That's not my expertise.

18 Q. Okay. As far as you know, was
19 Mr. Szabo ever involved in hiring or firing
20 employees?

21 A. No.

22 Q. Do you know if he was involved in
23 making decisions about hiring and firing
24 employees?

1 A. No.

2 Q. When you say no, is that, no, he was
3 not or, no, you do not know?

4 A. As far as calibration goes, he may
5 have had some sway, you know, when talking
6 about their resumes and stuff like that, but
7 ultimately the decision was up to Jason.

8 Q. Okay. So were resumes shared with
9 him? Were resumes shared with Mr. Szabo?

10 A. I can't answer that question. I am
11 not sure.

12 Q. As far as you know, did Mr. Szabo
13 supervise any other Muncy employees and direct
14 their work, such as giving them assignments or
15 saying where they would be traveling?

16 A. No.

17 Q. No, he did not?

18 A. No.

19 Q. As far as you know, did Mr. Szabo,
20 as a calibration technician, exercise
21 discretion and independent judgment with
22 respect to matters of significance?

23 A. Yes.

24 MR. STAPP: I am going to

1 object to the form of the question. It
2 calls for a legal conclusion.

3 I guess she can answer if she
4 wants to, if she understands what you're
5 asking her.

6 BY MS. KRAMER:

7 Q. You can answer. Because as you
8 already said, you exercised this kind of
9 discretion.

10 So in that same measure, did
11 Mr. Szabo?

12 A. Yes.

13 Q. And how did he do that?

14 A. He followed our ISO procedures. He
15 used his common judgment just like everybody
16 else.

17 Q. So he used his common judgment?

18 A. Correct.

19 Q. (Inaudible) Mr. Fetter's approval?

20 A. Can you repeat yourself? You keep
21 breaking up.

22 Q. I apologize. As far as you know,
23 when exercising this discretion, did Mr. Szabo
24 need to get approval from Mr. Fetter?

1 A. Approval on what?

2 Q. Whether he could do something?

3 A. That's a very open question. It
4 depends on what it is. What is something?

5 Q. I'm not familiar with calibration
6 technicians' job duties.

7 So could he travel without it
8 being assigned to him?

9 A. No.

10 Q. Could he buy something without
11 Mr. Fetter saying okay?

12 A. He had a credit card. So he could
13 buy anything he wanted to, but he would need
14 approval. If it was something frugal, if --
15 you know, because what he was allotted.

16 Q. Okay. Could he buy equipment for
17 his job without getting Mr. Fetter's approval?

18 A. No.

19 Q. As far as you know, was Mr. Szabo
20 responsible for making sales or obtaining
21 orders or contracts for services?

22 A. No.

23 Q. He was not involved in sales at all?

24 A. I am not aware.

1 Q. Okay. For calibration technicians,
2 those who worked there while you had been
3 there, did they all have generally the same --
4 you might not know this -- generally the same
5 qualifications?

6 A. They vary.

7 Q. Does being a calibration technician
8 require a degree?

9 A. It does not; however, you have to be
10 certified through us.

11 Q. Through who? Through Muncy?

12 A. Correct.

13 Q. How long does that certification
14 take?

15 A. We generally do three to six months
16 of training and then they have to pass an
17 exam.

18 Q. Is that an ongoing thing? Do they
19 get tested once a year or something like that?

20 A. Yes.

21 Q. Okay. As far as you know, is a
22 calibration technician -- being a calibration
23 technician, is that a manual job, like, you
24 use your hands? Like a construction worker is

1 a manual job?

2 A. Yes.

3 Q. How often, if you know, was
4 Mr. Szabo inside a Muncy office?

5 A. We generally like to stick with
6 every other week. It varies.

7 Q. Every other week. And the rest of
8 the time they were on job sites, calibration
9 technicians?

10 A. Correct.

11 MS. KRAMER: I think that's all
12 the questions I have. Thank you.

13 THE WITNESS: Sure.

14 MR. STAPP: I don't have any
15 questions.

16 (Witness was excused.)

17 (Deposition concluded at

18 1:28 p.m.)

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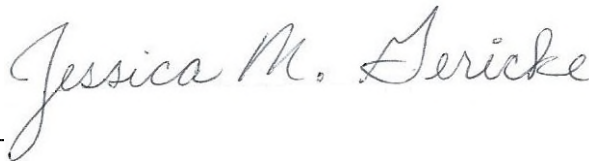
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Megan Delahoussaye

C E R T I F I C A T E

I HEREBY CERTIFY that prior to the commencement of the examination, MEGAN DELAHOUSAYE, was remotely sworn by me to testify to the truth and that the proceedings, evidence, and objections are contained fully and accurately in the stenographic notes taken by me upon the deposition taken on June 15, 2022, and this is a true and correct transcript of same.



Jessica M. Gericke, RPR, CCR-NJ,
and Notary Public

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